

UNITED STATES DEPARTMENT OF JUSTICE
Washington, D. C.

TITLE 26 - JUDICIAL ADMINISTRATION
CHAPTER I - DEPARTMENT OF JUSTICE

PART 12. REGISTRATION OF CERTAIN PERSONS UNDER
THE ACT OF AUGUST 1, 1956 (PUBLIC
LAW 393, 84TH CONGRESS, 2ND SESSION)

Order No. 124-56

Pursuant to the authority vested in me by the act of August 1, 1956 (Public Law 393, 84th Congress, 2nd Session), the following rules and regulations are hereby prescribed for carrying out the purposes and provisions of that act:

Section 12.1 Definitions.

As used in this part, unless the context otherwise requires:

(a) The term "act" means the act of August 1, 1956, Public Law 393, 84th Congress, 2nd Session, requiring the registration of certain persons who have knowledge of, or have received instruction or assignment in the espionage, counterspionage, or sabotage service or tactics of a foreign government or foreign political party.

(b) The term "Attorney General" means the Attorney General of the United States.

(c) The term "Rules and Regulations" refers to all rules, regulations, registration forms, and instruction to forms made and prescribed by the Attorney General pursuant to the act.

(d) The term "registration statement" means the registration required to be filed with the Attorney General under section 2 of the act.

(e) The term "registrant" means the person by whom a registration statement is filed pursuant to the provisions of the act.

Section 12.2 Administration of act.

The administration of the act is assigned to the Registration Section of the Internal Security Division, Department of Justice. Communications with respect to the act shall be addressed to the Registration Section, Department of Justice, Washington 25, D. C. Copies of the act, the regulations contained in this part, including the forms mentioned therein, may be obtained upon request without charge.

Section 12.3 Prior registration with the Foreign Agents Registration Section.

No person who has filed a registration statement under the terms of the Foreign Agents Registration Act of 1938, as amended by section 20(a) of the Internal Security Act of 1950, shall be required to file a registration statement under the act, unless otherwise determined by the Chief, Registration Section.

Section 12.4 Inquiries concerning application of act.

Inquiries concerning the application of the act must be accompanied by a detailed statement of all facts necessary for a determination of the question submitted, including the identity of the person on whose behalf the inquiry is made, the facts which may bring such person within the registration provisions of the act, and the identity of the foreign government or foreign political party concerned.

Section 12.20 Filing of registration statement.

Registration statements shall be filed in duplicate with the Registration Section, Department of Justice, Washington, D. C. Filing may be made in person or by mail, and shall be deemed to have taken place upon the receipt thereof by the Registration Section.

Section 12.21 Time within which registration statement must be filed.

Every person who is or becomes subject to the registration provisions of the act after its effective date shall file a registration statement within fifteen days after the obligation to register arises.

Section 12.22 Material contents of registration statement.

The registration statement shall include the following, all of which shall be regarded as material for the purposes of the act:

(a) The registrant's name, principal business address, and all other business addresses in the United States or elsewhere, and all residence addresses.

(b) The registrant's citizenship status and how such status was acquired.

(c) A detailed statement setting forth the nature of the registrant's knowledge of the espionage, counterspionage, or sabotage service or tactics of a foreign government or foreign political party, and the manner in which, place where, and date when such knowledge was obtained.

(d) A detailed statement as to any instruction or training received by the registrant in the espionage, counterespionage, or sabotage service or tactics of a foreign government or foreign political party, including a description of the type of instruction or training received, a description of any courses taken, the dates when such courses commenced and when they ceased, and the name and official title of the instructor or instructors under whose supervision the courses were received as well as the name and location of schools and other institutions attended, the dates of such attendance, and the names of the directors of the schools and institutions attended.

(e) A detailed statement describing any assignment received in the espionage, counterespionage, or sabotage service or tactics of a foreign government or foreign political party, including the type of assignment, the date when each assignment began, the date of completion of each assignment, name and title of the person or persons under whose supervision the assignment was executed, and a complete description of the nature of the assignment and the execution thereof.

(f) A detailed statement of any relationship which may exist at the time of registration, other than through employment, between the registrant and any foreign government or foreign political party.

(g) Such other statements, information, or documents pertinent to the purposes and objectives of the act as the Attorney General, having the regard for the national security and the public interest, may require by this part or amendments thereto.

Section 12.23 Deficient registration statement

A registration statement which is determined to be incomplete, inaccurate, misleading, or false, by the Chief, Registration Section, may be returned by him to the registrant as being unacceptable for filing under the terms of the act.

Section 12.24 Forms.

(a) Every person required to register under the act shall file a registration statement on Form GH-1, and such other forms as may from time to time be prescribed by the Attorney General.

(b) Matter contained in any part of the registration statement or other document may not be incorporated by reference as answer, or partial answer, to any other item in the registration statement required to be filed under the act.

(c) Except as specifically provided otherwise, if any item on the form is inapplicable, or the answer is "None," an express statement to such effect shall be made.

(d) Every statement, amendment, and every duplicate thereof, shall be executed under oath and shall be sworn to before a notary public or other officer authorized to administer oaths.

(e) A registration statement or amendment thereof required to be filed shall, if possible, be typewritten, but will be regarded as in substantial compliance with this regulation if written legibly in black ink.

(f) Riders shall not be used. If the space on the registration statement or other form is insufficient for any answer, reference shall be made in the appropriate space to a full insert page or pages on which the item number and item shall be restated and the complete answer given.

Section 12.25 Amended registration statement.

(a) An amended registration statement may be required by the Chief, Registration Section, of any person subject to the registration provisions of the act whose original registration statement filed pursuant thereto is deemed to be incomplete, inaccurate, false, or misleading.

(b) Amendments shall conform in all respects to the regulations herein prescribed governing execution and filing of original registration statements.

(c) Amendments shall in every case make appropriate reference by number or otherwise to the items in original registration statements to which they relate.

(d) Amendments shall be deemed to have been filed upon the receipt thereof by the Registration Section.

(e) Failure of the Chief, Registration Section, to request any person described in section 2 of the act to file an amended registration statement shall not preclude prosecution of such person for a wilfully false statement of a material fact, the wilful omission of a material fact, or the wilful omission of a material fact necessary to make the statements therein not misleading, in an original registration statement.

Section 12.30 Burden of establishing availability of exemptions.

In all matters pertaining to exemptions, the burden of establishing the availability of the exemption shall rest with the person for whose benefit the exemption is claimed.

Section 12.40 Public examination.

Registration statements shall be available for public examination at the offices of the Registration Section, Department of Justice, Tenth Street and Pennsylvania Avenue, N. W., Washington 25, D. C., from 10:00 a.m. to 4:00 p.m. on each official business day, except to the extent that the Attorney General, having due regard for the national security and public interest, may withdraw such statements from public examination.

Section 12.41 Photocopies.

(a) Photocopies of registration statements filed in accordance with section 2 of the act are available to the public upon payment of fifty cents

per photocopy of each page, whether several copies of a single original page or one or more copies of several original pages are ordered.

(b) Estimates as to prices for photocopies and the time required for their preparation will be furnished upon request addressed to the Registration Section, Department of Justice, Washington 25, D. C.

(c) Payment shall accompany the order for photocopies and shall be made in cash, or by United States money order, or by certified bank check payable to the Treasurer of the United States. Postage stamps will not be accepted.

Section 12.70 Partial compliance not deemed compliance.

The fact that a registration statement has been filed shall not necessarily be deemed a full compliance with the act on the part of the registrant; nor shall it preclude prosecution, as provided for in the act, for wilful failure to file a registration statement, or for a wilfully false statement of a material fact therein, or for the wilful omission of a material fact required to be stated therein.

This order shall become effective upon its publication in the Federal Register. Compliance with the provisions of section 4 of the Administrative Procedure Act (50 Stat. 1063; 5 U.S.C. 1063) relative to notice of rule making, and delayed effective date is impracticable and contrary to the public interest in this instance, for the reason that such compliance would unduly delay and impede the implementation and administration of the act of August 1, 1956, Public Law 93, 24th Congress, 1st Session.

Dated: August 1, 1956.

(s) Herbert Brownell, Jr.
Attorney General